



July 31, 2024

Josh Hufferd, Engineering Geologist
Site Restoration and Waste Management Unit
San Diego Regional Water Quality Control Board
2375 Northside Drive, Suite 100
San Diego, California 92108-2700

Subject: Prima Deshecha Zone 4 Landfill Tentative Order - Comments

Dear Mr. Hufferd:

Attached please find OC Waste & Recycling's comments on Tentative Order R9-2024-0003. If you have any questions or comments regarding these comments, please contact me at (714) 834-4123 or by e-mail at emily.jackson@ocwr.ocgov.com.

Sincerely,

Emily L. Jackson, P.E.
Senior Civil Engineer
Environmental Services

Enclosure

cc: Shyamala Rajagopal, Orange County LEA
Hany Ahmed, OC Waste & Recycling
Jeff Arbour, OC Waste & Recycling
Lee Au, OC Waste & Recycling
Leila Barker, OC Waste & Recycling
Chandni Rodriguez, OC Waste & Recycling
Julian Sabri, OC Waste & Recycling
Ali Saleh, OC Waste & Recycling
Misty Steele, Geosyntec Consultants

ORDER NO. R9-2024-0003

C.2.a (p. 8) When should the COI be submitted?

C.2.e (p. 9) This section implies that the permit has expired. We suggest this section be reworded as follows: The Incidental Take Permit is in regards to the identification of the endangered species thread-leaved brodiaea (*Brodiaea filifolia*; TLBR) within the project limits of the La Pata Extension Project and Zone 4 Expansion project. A special-status plant survey was completed between 2009 and 2012, as well as CEQA/NEPA surveys for the projects. The special-status surveys identified 450 flower individuals necessitated a Minor Amendment to the HCP, which previously only authorized take of up to 300 flowering TLBR. The State of California coverage for this activity is provided through an Incidental Take Permit (ITP) under Section 2081 of the Fish and Game Code (ITP No. 2081-2011-074-05). Federal coverage for this activity is provided under the Southern Orange County Subregion Habitat Conservation Plan (HCP) and an associated Minor Amendment (MA No. FWS-OR-12B0070-12TA0586).

The ITP permit's mitigation measures were implemented to identify TLBR clusters, relocate to an approved mitigation site, and monitor until performance standards are met. The TLBR translocation program was developed shortly after the species were identified and thus began the covered activities to relocate and create a restored habitat for TLBR. In 2019, the TLBR translocation program was considered successful per CDFW and USFWS performance standards provided in the ITP. The HCP requires OCWR to perpetually manage, maintain, and monitor the mitigation site. The permittee/OCWR shall also provide long-term management fund (Endowment Fund) for perpetual management, maintenance, monitoring, and other activities on the HM lands consistent with the final Mitigation.

E.1.a (p. 11) If Discharger must wait to receive written concurrence from San Diego Water Board prior to implementing a *Blasting and Materials Management Plan*, the Order should state how long San Diego Water Board has to provide the written concurrence in order to prevent extensive construction project delays.

F.12.f (p. 20) How does one test the LCRS system, in particular when all the pipes are buried?

F.13.e (p.22) Is the ELLS test a one-time test?

G.3 (p. 24) Is the leachate/LFG condensate produced within Zone 4 allowed for use on lined portions of Zone 1? Can leachate/LFG condensate produced within Zone 1 be used on lined portions of Zone 4?

G.8 (p. 25) Are there publicly available templates to assist in the recalculation of the 100-year, 24 hour storm? The size/addition of stormwater conveyance/containment structures are designed years in advance; it will be extremely difficult to alter their size or add on to them.

K.2, 3 (p. 31) Are "new waste management unit" and "new stage" synonymous with "new phase"?

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- K.6 (p.32) Would these activities include installation of drainage pipes and construction of wet decks?
- K.7 (p.33) What if the 48-hour period ends on a Saturday, Sunday, or major holiday? Would the following Monday or the day after the holiday be acceptable? Could “48-hours” be replaced with “2 business days” or “72-hours” instead?
- K.9.a (p.33) Do these noncompliances include general landfill operations which do not affect the liner, cover, or groundwater/stormwater systems?
- K.9.i (p.34) Temperature readings of perimeter landfill gas probes are not routinely collected.
- K.13 (p. 35) Would the annual (calendar) capacity report prepared for the LEA suffice?
- K.16.a (p. 36) Does this mean that only the Director of OC Waste & Recycling, and not his duly authorized representative (DAR) can sign a JTD or ROWD?
- K.16.b (p. 36) Is the current DAR for Zone 1 automatically become the DAR for Zone 4 or must a new Signature Authority Statement be submitted?
- K.18 (p. 37) If paper copies are sent, is it acceptable if the copies are postmarked on or before the due date as long as the email and Geotracker versions are submitted on time?
- Fig. 3 (p. 42) Phase I is inconsistent with other maps in this document; a newer version of this map should be used.

ATTACHMENT A: MONITORING AND REPORTING PROGRAM

- II.A (p. 44) Would the existing plans suffice since the existing network spans both Zones 1 and 4, or should Zones 1 and 4 be separate?
- II.A.3 (p. 45) Is sampling done for internal use only need to be reported? If so, why?
- Table 1 (p.50) Please confirm the superscripts assigned to the Monitoring Parameters in the first column. Should the “14”s be “26”s and “15” be a “27”? For clarity, please revise the name of the last two parameters listed in Table 1 as “Appendix I Volatile Organic Compounds” and “Appendix I Metals”, respectively.
- II.E.3 (p.52) Under Zone 1’s current WDR, surface water samples are analyzed for the same parameters as groundwater samples. This section states that “surface water samples must be analyzed for the monitoring parameters found in the IGP.” Please clarify. Does this mean the surface water samples should be sampled for the monitoring parameters outlined in the Site’s latest SWPPP?
- III.C (p. 55) Please define “successful proof period”.

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- III.D.3 (p. 57) Please define “synthetic organic constituents” (SOCs) and give a few examples. Also please clarify the phrase “If SOCs are detected in more than 10% of analyses in background wells”. Does this mean 10% of all constituents tested for in all the background wells combined, 10% of the wells have at least 1 SOC detected, 10% of the wells have the same SOC, etc?
- III.E.2 (p. 58) Please define “discrete retest” and “measureably significant”. It may be problematic to determine the source of a background well contaminant, especially if the source is offsite and/or we cannot get permission from the property owner to investigate.
- IV.A.1 (p. 60) Due to the inability to upload GIS shape files to Geotracker, they will only be sent via email.
- IV.B.10 (p. 64) Please confirm that monthly volumes can be estimated instead of measured. Monthly weights in tonnages will be measured values based on scale data collected at our Fee Booths. Volumes would be calculated by dividing the measured weights by the Site’s most current AUF. These AUF values are re-calculated annually based on measured volume data.
- IV.B.3 (p. 62) It is assumed that the Semi-Annual Groundwater Monitoring Report due on April 30 will be a separate report and not included in the Annual Compliance Report.
- IV.C.7 (p. 67) Same comment as for K.7.
- IV.C.9.a(p.67) Same comment as for K.9.a
- IV.D (p. 70) Surface Water COC Report – there is currently no surface water data available.
- IV.D (p. 70) Please confirm reporting period and due dates for the groundwater and surface water COC reports. The dates listed in this table conflict with other sections of the MRP. Part II.E.3 on page 52 implies that both COC reports are prepared during the same monitoring period, while this table implies they conducted two years apart. Part IV.C.4 on page 66 implies reports are due October 30, 2026.
- IV.E.1 (p. 71) What is the maximum file size for emails that your servers can accomodate - 150 MB or something lower?
- IV.E.3.b(p 72) Are current monitoring wells grandfathered in?
- IV.E.3.g(p 73) Are current monitoring wells grandfathered in?
- IV.E.4.c(p 74) Will a new signatory designation be required if the DAR will be the same person as now?
- App.1 (p.78) This COC list is different than the list on page 50; which one should we use for semi-annual sampling? Which list do we use under which circumstances?

**ATTACHMENT B: INFORMATION SHEET FOR R9-2-24-0003
WASTE DISCHARGE REQUIREMENTS**

- B.3.c (p. 84) Is a new NPDES and SWPPP needed for Zone 4 or can the current one for Zone 1 be used?
- M (p.95) Is “the Landfill” referred to Zone 4?
- N (p. 96) The last two paragraphs appear to be a requirement to designate a specific area for chipping & grinding (C&H); however, the C&H operations area moves in response to the movement of the active face, so a designated C&H area needs to be dynamic in nature. Can the entrance and exit requirements for the C&H area can be fulfilled by using signs to direct traffic?
- S (p. 98) Please define “Practical Vision”

ATTACHMENT C: SPECIAL WASTES ACCEPTANCE REQUIREMENTS

E (pp 105-109) Contaminated Soils

- Historically OCWR has used a two-tiered system for acceptance of contaminated soils.
 - Beneficial Use Soil (Tier 1) meets the “primary contamination limits” (aka “residential limits” and is free of debris and trash. This soil can be used for beneficial reuse, including daily and intermediate cover.
 - Soil for Burial (Tier 2) does not meet the Tier 1 criteria but does meet a higher contamination limit (aka “industrial limits” or “secondary contamination limits”) This soil will be accepted for burial only and the hauler must pay the prevailing tonnage fees.
 - Soil which does not meet the secondary (or industrial) limits are not accepted at the landfill.
 - Only one set of limits is listed in Attachment C. Should this be regarded as a primary or secondary limit?
 - If only one set of limits is used, how does OCWR determine whether the soil can be used for beneficial reuse or if it qualifies for burial?
- Tables 1 and 2 show limits for both STLC (mg/L) and TCLP (mg/L).
 - Most labs report results in mg/kg or ug/kg, with the vast majority using the TTLC method. The TTLC method is less expensive than the STLC, and the TCLP is almost never used.
 - If possible please give us limits in units of mg/kg, ug/kg, or ppm.

ATTACHMENT D: CHIPPING AND GRINDING OPERATION REQUIREMENTS

No comments

**ATTACHMENT E: REQUIREMENTS FOR CO-LOCATED COMPOSTING
OPERATIONS**

A (p.113) There is already a composting operation at the site (Capistrano Greenery). Is an additional NOI, filing fee, and technical report required?

**ATTACHMENT F: MATERIAL RECOVERY FACILITY OPERATION
REQUIREMENTS**

No comments